

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 09/864,457

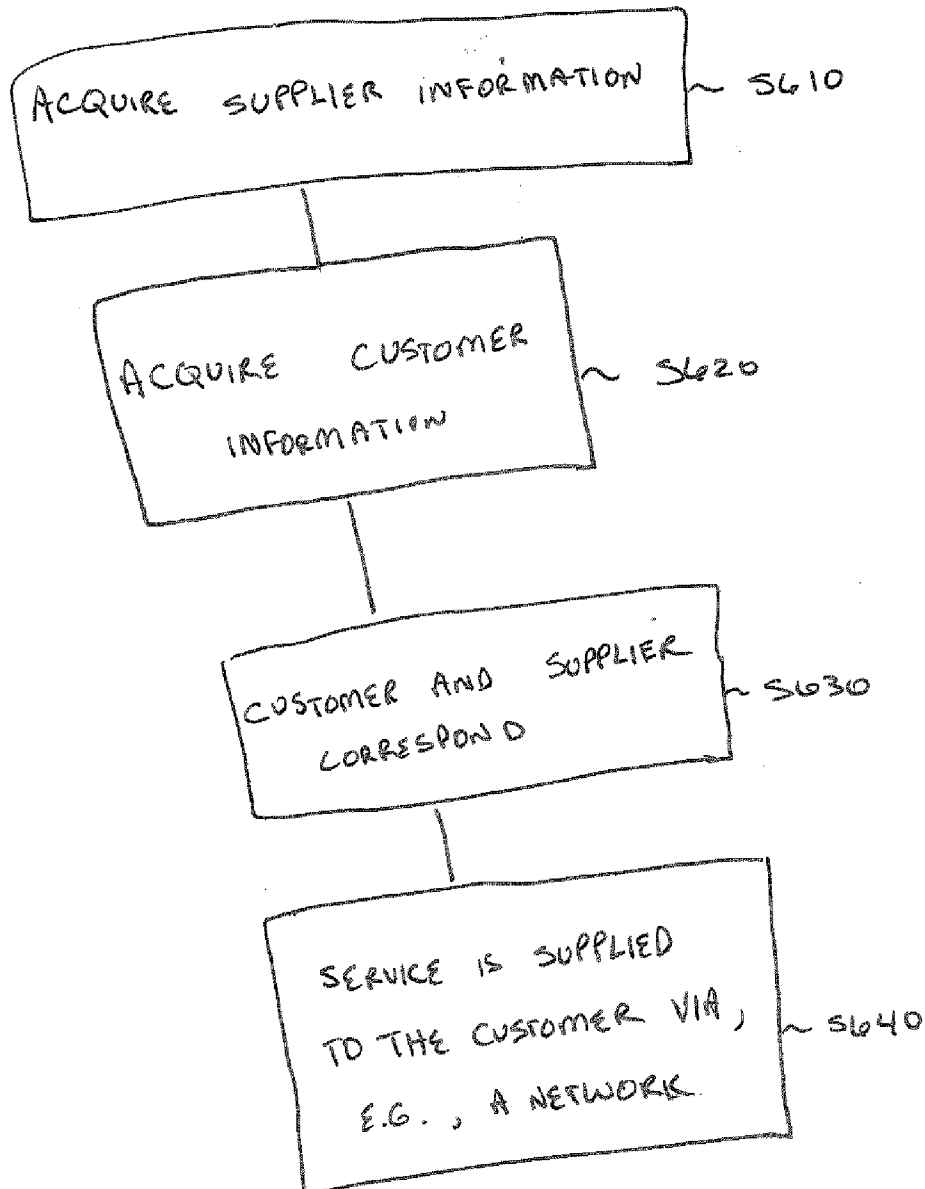
Attorney Docket No.: Q64695

AMENDMENTS TO THE DRAWINGS

Submitted herewith please find 1 sheet (Figure 6) of drawings in compliance with
37 C.F.R. § 1.84. The Examiner is respectfully requested to acknowledge receipt of the drawing.

Attachment: Replacement Sheet(s)

FIG. 6



REMARKS

First, Applicants thank the Examiner for discussing this case with Applicants' representatives on December 18, 2006. A Statement of Substance of Interview is enclosed herewith.

As a preliminary matter, the Examiner objects to proposed drawing, Fig. 6, which was submitted in the previous Amendment, based on the reasons set forth on page 3 of the Office Action. Based on the Examiner Interview conducted on December 18, 2006, Applicants submit herewith a new replacement Fig. 6 and accompanying specification changes. Applicants believe that the drawing objections should be withdrawn.

Claims 1-9 are all the claims pending in the present application. Claims 1-9 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Claims 1, 2, 4, 5, 7, and 9 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Anderson et al. (U.S. Patent Application Publication No. 2001/0042023). Claims 3 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Anderson and further in view of Wilkinson et al. (U.S. Patent Application Publication No. 2001/0034615).

§101 Rejections – Claims 1-9

Applicants amend the claims, as indicated herein, for clarification purposes. Applicants believe that the rejections of claims 1-9 under 35 U.S.C. § 101 should be withdrawn.

§102(e) Rejections (Anderson) – Claims 1, 2, 4, 5, 7, and 9

Claims 1, 2, 4, 5, 7 and 9 are rejected based on the reasons set forth on pages 8-13 of the present Office Action. Applicants traverse these rejections at least based on the following

reasons. With respect to claim 1, Applicants previously argued that Anderson does not disclose or suggest at least, “acquiring medical specialist information concerning at least a time when each of said medical specialists can supply said service via a network,” as recited in claim 1. In the beginning of his *Response to Arguments* section, the Examiner alleges:

As to the above argument [b], it is noted that Applicants’ remarks at page 8-9 of the Response, are merely conclusionary statements, without any support. Applicants are merely repeating the language of the claim without addressing Examiner’s particular interpretation of the reference, as presented in the previous Office Action, and without specifying how the instant amendments address the issues raised by the Examiner.

As best understood by the Examiner, firstly, Anderson is directed to an order fulfillment and tracking system, more specifically, fulfilling multiple orders from multiple suppliers [see Abstract]. Secondly, Anderson also teaches the supplier is selected from a list of eligible suppliers based on criteria, i.e., predetermined time period, also nearest supplier, as suggested at page 1, paragraph [0011]. Thirdly, Anderson specifically suggests “selected suppliers begin seeing the selected item or items on their remote supplier computer screens” (page 1, col. 2, paragraph [0020]), and particularly suggests buyers and suppliers are connected through “Internet” (see page 1, col. 2, paragraphs [0017] and [0020], lines 1-2). Therefore, Anderson teaches receiving and sending data via “network.” It is also noted that Anderson specifically suggests multiple suppliers, for example, a list of eligible suppliers (see page 1, col. 1, paragraph [0011]). These suppliers can process and supply required ordered product[s] in a networking environment.

In response, Applicants submit that the Examiner’s interpretation of the reference is inaccurate with respect to the reference allegedly satisfying the invention, as recited in claim 1. Applicants maintain the previous arguments that, in numbered paragraph 12, the only time period that is discussed in Anderson only relates to the time that it takes for potential suppliers to indicate to a central computer that an ordered product is in stock. In numbered paragraph 11, Anderson only discusses time with respect to the time that it takes a potential supplier to respond

to a particular ordered product. Applicant's reiterate that there is no disclosure or suggestion of acquiring medical specialist information concerning at least a time when each of the medical specialists can supply said service via network. In other words, according to the present invention, as recited in claim 1, a time when each of the medical specialists can supply said service is acquired. This specific feature is not taught or suggested by Anderson.

Applicants submit that independent claims 2 and 4 are patentable at least based on reasons similar to those set forth above with respect to claim 1.

Applicants submit that dependent claims 5, 7, and 9 are patentable at least by virtue of their respective dependencies from independent claims 1 and 4.

§103(a) Rejections (Anderson / Wilkinson) - Claims 3 and 6

Dependent claims 3 and 6 are patentable at least by virtue of their respective dependencies from independent claims 1, 2, and 4. Wilkinson does not make up for the deficiencies of Anderson.

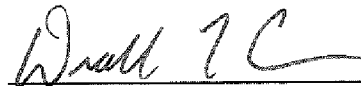
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: February 20, 2007